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RECEIVED

JAN 30 2002

Department of Water Resources
Eastern Region

January 29, 2002

Helen L. Harrington, P.G.
Staff Hydrogeologist
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Bear River Ground Water Management Advisory Committee

Dear Helen:

Thanks for coming to Soda Springs and organizing the initial meeting of the Advisory Committee. It was a good start and we look forward to the next meeting February 19.

The Bear River Water Users Association ("BRWUA"), which represents the irrigation interests, believes that it is very important, given the size, diversity and background of the Advisory Committee members, that the Committee's purpose and objective be clearly identified and kept in focus. The matters the Committee and the Department should consider appear to be properly set forth in paragraph 3 of the August 12, 2001 Order designating the Bear River Ground Water Management Area which states:

"The Advisory Committee and the Department will consider the following matters in preparation of a Management Plan:


- a. The requirements and conditions needed to protect existing water rights as applications for new consumptive uses from ground water are approved;

- b. The need for policies to encourage development and use of water supply systems to provide water for multiple ownership subdivisions rather than individual wells for each residence or business;
- c. Appropriate requirements for measuring and reporting of water withdrawals by new and existing uses from surface and ground water sources;
- d. The need to designate areas of drilling concern to protect ground water quantity and quality."

Subparts a. and c. appear to us to be the most important as well as the most difficult to address. Since ground water and surface water in the Management Area are hydrologically connected, conjunctive management is required by law under I.C. §42-237(a). Accordingly, new ground water development will require mitigation for depletion resulting to senior surface water rights. That will require focus upon developing both a procedure and appropriate mechanism for providing mitigation.

We feel it's most important for the Department to take the lead and provide guidance. To that end, we would strongly suggest that a rough draft of a Management Plan or at a minimum a "straw man" outline of a proposed Management Plan be developed as soon as possible and circulated for review prior to the next meeting February 19. This will help direct the Committee's focus and help the Committee proceed productively. We look forward to working with you and the Committee in facilitating this important process. Since I don't have everyone's addresses, I won't circulate this letter to all of the Committee members, but you may feel free to do so if you desire.

Sincerely,


RANDALL C. BUDGE

RCB:rr

cc: Norm Young, Administrator, Boise
Cindy Bird, IDWR, Soda Springs
Harold Jones, Eastern Region
Jody Williams
Marcus Gibbs
Dean Mathews